

BARRY J. PORTMAN
Federal Public Defender
JOHN PAUL REICHMUTH
Assistant Federal Public Defender
555 12th St. – Suite 650
Oakland, CA 94607-3627
Tel. (510)-637-3500

Counsel for Defendant MILES

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) No. CR 05-00740-MJJ
)
)
) Plaintiff,)
)
) v.) ~~[PROPOSED]~~ ORDER FOR
) CONTINUANCE AND EXCLUSION
) OF TIME UNDER THE SPEEDY
) TRIAL ACT, 18 U.S.C. § 3161 ET
DERRICK DONTE MILES,) SEQ.
)
)
) Defendant.)

ORDER

Based on the reasons provided in the stipulation of the parties, the court hereby FINDS:

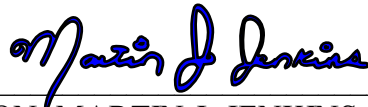
The ends of justice served by vacating the SETTING OR CHANGE OF PLEA date currently set for June 16, 2006 and setting the matter down for change of plea or trial or motions setting on July 28, 2006 at 2:30 p.m. outweigh the best interests of the public and the defendant in a speedy and public trial because a substantial quantity of new discovery; including video and audio tapes, forensic reports, search warrant returns, and crime scene photographs; which were

1 not in the possession of the government at the last hearing of this case have recently been provided
2 to the defense, and additional investigation and review are necessary to the defense preparation of
3 the case.

4 Based on these findings, and to the extent applicable, it is ORDERED that time be excluded
5 under the speedy trial act, 18 U.S.C. Section 3161(H) (8)(A) and (B)(iv) from June 16, 2006 until
6 July 28, 2006.

8 IT IS FURTHER ORDERED that the SETTING OR CHANGE OF PLEA date of June 16,
9 2006 at 2:30 p.m., before the Honorable Martin J. Jenkins, be vacated and reset as a CHANGE
10 OF PLEA OR MOTIONS AND TRIAL SETTING HEARING for July 28, 2006 at 2:30 p.m.

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13 DATED: 6/15/2006

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15 HON. MARTIN J. JENKINS
16 UNITED STATES DISTRICT JUDGE
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